

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

FILED

JUL 12 2011

CLERK, U.S. DISTRICT COURT  
NORFOLK, VA

CHARLES VEST WILLIAMSON, No. 1034988, :

Petitioner, :  
v. : ACTION NO. 2:10CV522  
Harold W. Clarke, Director, :  
Virginia Department of Corrections, :  
Respondent. :  
:

FINAL ORDER

This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2254. The petition challenges the constitutionality of Virginia's system of parole and claims Petitioner's continued incarceration is unlawful.

The petition was referred to a United States Magistrate Judge for report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Magistrate Judge's Report and Recommendation filed May 24, 2011 (ECF No. 10), recommends dismissal of the petition.

On June 8, 2011, the Court received Petitioner's Objections to the Report and Recommendations (ECF No. 11). The Respondent has filed no Response to the Petitioner's Objections and the time for filing a Response has now expired.

The Court, having reviewed the record and examined the objections filed by Petitioner to the Report and Recommendation, and having made de novo findings with respect to the portions objected to, does hereby adopt and approve the findings and recommendations set forth in the Report and Recommendation filed May 24, 2011, and it is therefore ORDERED that Respondent's Motion to Dismiss (ECF No. 6) be GRANTED and judgment be entered in favor of the Respondent, and that the petition (ECF No. 1) be DENIED and DISMISSED.

Petitioner may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty (30) days from the date of entry of such judgment.

Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. See Miller-El v. Cockrell, 123 S.Ct. 1029, 1039 (2003).

The Clerk shall mail a copy of this Final Order to Petitioner and to counsel of record for Respondent

/s/  
Rebecca Beach Smith  
United States District Judge

REBECCA BEACH SMITH  
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
JULY 12, 2011